

DJW/1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**WILLIAM E. ORCUTT,**

**Plaintiff,**

**CIVIL ACTION**

**v.**

**No. 09-2025-EFM-DJW**

**BRANDON LIBEL, et al.,**

**Defendants.**

**ORDER**

This matter is before the Court on Plaintiff's Motion for Amendment (doc. 68). In his motion, Plaintiff states: "Comes now, William E. Orcutt, pro se, and requests the Court to grant the Motion for Amendment in the above styled case. Attached you will find the First Amended Complaint."<sup>1</sup> While Plaintiff attaches a copy of his proposed amended complaint, he does not provide any summary or statement of his proposed amendments. Nor does he file a memorandum in support of his motion.

Plaintiff's motion will be denied for failure to comply with the Rules of Practice and Procedure of the District Court of Kansas. D. Kan. Rule 15.1 states that any motion to amend "shall set forth a concise statement of the amendment or leave sought to be allowed."<sup>2</sup> In addition, D. Kan. Rule 7.1 provides that with the exception of motions grantable by the Clerk of the Court and motions for extension and continuance, "all motions shall be accompanied by a brief or memorandum."<sup>3</sup>

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<sup>1</sup>Pl.'s Mot. for Amendment (doc. 68) at 1.

<sup>2</sup>D. Kan. Rule 15.1.

<sup>3</sup>D. Kan. Rule 7.1(a).

Finally, D. Kan. Rule 7.4 provides that “[a] motion not accompanied by a required brief or memorandum may, in the discretion of the court, be summarily denied.”<sup>4</sup>

In light of Plaintiff’s failure to comply with these procedural rules, the Court will deny Plaintiff’s motion.

**IT IS THEREFORE ORDERED** that Plaintiff’s Motion for Amendment (doc. 68) is denied without prejudice.

**IT IS SO ORDERED.**

Dated in Kansas City, Kansas on this 11th day of June 2009.

s/David J. Waxse  
David J. Waxse  
U.S. Magistrate Judge

cc: All counsel and *pro se* parties

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<sup>4</sup>D. Kan. Rule 7.4.